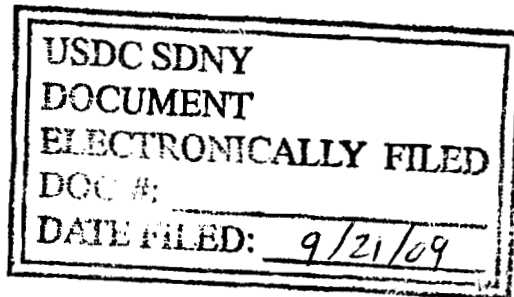


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
MARILYN Y. ARMSTRONG, et al., :

Plaintiffs, :

-against- :

METROPOLITAN TRANSPORTATION :
AUTHORITY, et al., :

Defendants. :

-----X

07 Civ. 3561 (GEL) (HBP)

ORDER

PITMAN, United States Magistrate Judge:


By notice of motion dated August 27, 2009 (Docket Item 36), defendants move to compel the testimony of non-party witness Mark Landro. The Court's files indicate that copies of the motion and all supporting papers have been served on Mr. Landro.

Since no opposition to the motion has been filed, the motion is granted on default. Mr. Landro is directed to appear for his deposition at the office of Littler Mendelson, P.C., 290 Broad Hollow Road, Melville, New York at 10:00 a.m. on October 4, 2009. Counsel has represented that no members of employees of

the MTA will be present other than counsel and, perhaps, the MTA's in-house counsel.

Dated: New York, New York
September 18, 2009

SO ORDERED


HENRY PITMAN
United States Magistrate Judge

Copies transmitted to:

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